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*Attorneys for Defendant Google LLC*

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

CHASOM BROWN, WILLIAM BYATT,  
JEREMY DAVIS, CHRISTOPHER  
CASTILLO, and MONIQUE TRUJILLO,  
individually and on behalf of all similarly  
situated,

Plaintiffs,

v.

GOOGLE LLC,  
Defendant.

Case No. 5:20-cv-03664-LHK-SVK

**DECLARATION OF JONATHAN TSE IN  
SUPPORT OF JOINT SUBMISSION IN  
RESPONSE TO DKT. 320 RE: SEALING  
PORTIONS OF NOVEMBER 4, 2021  
HEARING TRANSCRIPT**

Referral: Hon. Susan van Keulen, USMJ

1 I, Jonathan Tse, declare as follows:

2 1. I am a member of the bar of the State of California and an attorney with Quinn  
3 Emanuel Urquhart & Sullivan, LLP, attorneys for Defendant Google LLC (“Google”) in this action.  
4 I make this declaration of my own personal, firsthand knowledge, and if called and sworn as a  
5 witness, I could and would testify competently thereto.

6 2. Pursuant to Civil Local Rule 79-5, I submit this declaration in support of the parties’  
7 Joint Submission re: Sealing Portions of the November 4, 2021 Hearing Transcript (“Transcript”).  
8 In making this request, Google has carefully considered the relevant legal standard and policy  
9 considerations outlined in Civil Local Rule 79-5. Google makes this request with the good faith  
10 belief that the information sought to be sealed consists of Google’s confidential and proprietary  
11 information and that public disclosure could cause competitive harm.

12 3. Google respectfully requests that the Court seal the redacted portions of the  
13 Transcript, attached hereto as Exhibit A.

14 4. The information requested to be sealed contains Google’s highly confidential  
15 technical information regarding the various types of Google’s internal systems, practices, projects,  
16 identifiers, cookies, the various types of logs maintained by Google, information contained in those  
17 logs, as well as Google’s internal communications and practices with regard to Incognito and their  
18 proprietary functions, that Google maintains as confidential in the ordinary course of its business  
19 and is not generally known to the public or Google’s competitors.

20 5. Such confidential information reveals Google’s internal strategies, system designs,  
21 and business practices for operating and maintaining many of its important services and products,  
22 and falls within the protected scope of the Protective Order entered in this action. *See* Dkt. 81 at 2-  
23 3.

24 6. Public disclosure of such confidential information could affect Google’s competitive  
25 standing as competitors may alter their identifier system designs and practices relating to competing  
26 products. It may also place Google at an increased risk of cyber security threats, as third parties may  
27 seek to use the information to compromise Google’s identifier systems.

1           7.       On November 18 and 19, 2021, the parties conferred on the proposed redactions to  
2 the Transcript. Plaintiffs take no position on Google's proposed redactions and they do not oppose  
3 Google's motion to seal.

4           8.       For these reasons, Google respectfully requests that the Court order the identified  
5 portions of the Transcript to be sealed.

6           I declare under penalty of perjury of the laws of the United States that the foregoing is true  
7 and correct. Executed in San Francisco, California on November 19, 2021.

8  
9 DATED:       November 19, 2021

QUINN EMANUEL URQUHART &  
SULLIVAN, LLP

10  
11 By /s/ Jonathan Tse  
Jonathan Tse

12                   *Attorney for Defendant*  
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